

Message Text

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ACTION ARA-06

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 2458

C O N F I D E N T I A L SAN JOSE 0100

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO - PLANS TO ABROGATE VESCO LAW

REF: STATE 273138

1. DURING CONVERSATION WITH PRESIDENT ODUBER JANUARY 7, I ASKED HIM WHAT WERE LATEST DEVELOPMENTS REGARDING ABROGATION OF VESCO LAW ON EXTRADITION. ODUBER REPLIED THAT NOTHING FURTHER WAS HAPPENING OR PLANNED. HE SAID HE HAD BEEN ADVISED BY ATTORNEY GENERAL THAT IF COSTA RICA WERE TO ABROGATE ALL DOMESTIC LEGISLATION AND RELY ONLY ON BILATERAL TREATY, IT WOULD BECOME A HAVEN FOR FUGITIVES FROM EVERY COUNTRY WITH WHICH COSTA RICA DOES NOT HAVE A TREATY. IT WAS DECIDED THEREFORE NOT TO ABROGATE THE LAW.

2. I REMARKED THERE WAS OF COURSE ALTERNATIVE OF ABROGATING PRESENT LAW AND RETURNING TO 1971 LAW. ODUBER SAID HE DID NOT SEE HOW THAT WOULD HELP US SINCE WE HAD NOT BEEN ABLE TO SUCCEED IN EXTRADITION ATTEMPT MADE UNDER 1971 LAW. HE THOUGHT IT BEST FOR US TO COMPLETE PREPARATION OF OUR CASE AND WHEN WE WERE COMPLETELY READY TO PRESENT IT, THEN TO GET IN TOUCH WITH HIM TO DETERMINE EXACTLY WHAT WOULD BE THE BEST WAY TO PROCEED FOR A SUCCESSFUL EXTRADITION ATTEMPT.

3. I SAID MY UNDERSTANDING WAS THAT FAILURE OF 1973 EXTRADITION
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ATTEMPT WAS NOT DUE TO THE 1971 LAW. IT SEEMED TO ME ALSO THAT

IN PREPARING NEW EXTRADITION ATTEMPT IT WOULD BE IMPORTANT TO
KNOW TERMS OF LAW INVOLVED. I PROMISED, HOWEVER, TO
COMMUNICATE ODUBER'S VIEWS TO DEPARTMENT AND INFORM HIM OF ANY
REACTION.

4. ODUBER SAID HE IS INTERESTED IN GETTING VESCO OUT OF COSTA
RICA. MAIN OBSTACLE IN PAST HAD BEEN FORMER PRESIDENT
FIGUERES, BUT FIGUERES NOW SEEMS TO BE NOT AS CONCERNED WITH
PROTECTING VESCO. THEREFORE, ODUBER FEELS MORE ABLE TO PROCEED
NOW WITHOUT RISKING A MAJOR CONFRONTATION WITH FIGUERES.
TODMAN

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